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     ERSKINE & TULLEY
     A PROFESSIONAL CORPORATION
 2
    MICHAEL J. CARROLL (St. Bar #50246)
     220 Montgomery Street, Suite 303
 3
     San Francisco, CA 94104
     Telephone: (415) 392-5431
 4
    Attorneys for Plaintiff
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 6
                         UNITED STATES DISTRICT COURT
 7
                       NORTHERN DISTRICT OF CALIFORNIA
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10
     BOARD OF TRUSTEES OF THE SHEET
                                             NO. C 06 2552 MHP
11
     METAL WORKERS, et al.
12
                          Plaintiff,
13
                                               NOTICE OF
               VS.
                                               VOLUNTARY DISMISSAL
14
     MTB INC., a California corporation
15
                          Defendant.
16
17
               Notice is hereby given that plaintiff dismisses the above
18
     entitled action without prejudice pursuant to Federal Rule of Civil
19
     Procedure 41, and all dates relating to this case should be taken
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     off the Court's calendar including the hearing a Case Management
21
     Conference set for February 12, 2007 at 4:00 p.m. in Courtroom No.
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     15, 18<sup>th</sup>
                               o Gate Avenue, San Francisco, CA.
23
     Dated
                February 12,
24
             IT IS SO ORDEREI
                                          ERSKINE & TULLEY
25
26
                                     By:<u>/s/Michael J. Carroll</u>
               Judge Marilyn H. Patel
                                          Michael J. Carroll
27
                                           Attorneys for Plaintiff
28
                 2/14/2007
                                  VOLUNTARY DI<u>SMISSAL</u>
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DISTRIC

1 PROOF OF SERVICE BY MAIL 2 I am a citizen of the United States and employed in the City and 3 County of San Francisco, California. I am over the age of eighteen 4 years and not a party to the within above entitled action; my 5 business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On February 12, 2007 I served the 6 7 within NOTICE OF VOLUNTARY DISMISSAL on the defendant in said 8 action, by placing a true copy thereof enclosed in a sealed 9 envelope with postage thereon fully prepaid, in the United States 10 post office mail box at San Francisco, California, addressed as 11 follows: 12 Maria Barberini MTB, Inc. 13 9575 Main Street Penngrove, CA 94951 14 I, SHARON EASTMAN, certify (or declare), under penalty of perjury 15 that the foregoing is true and correct. 16 Executed on February 12, 2007 at San Francisco, California. 17 18 /s/Sharon Eastman 19 Sharon Eastman 20 21

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